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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,270	09/30/2002	Akira Ohmura	106121.07	2234

25944 7590 04/27/2006

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EXAMINER

HERNANDEZ, NELSON D

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 04/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,270

Applicant(s)

OHMURA, AKIRA

Examiner

Nelson D. Hernandez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/1/06, 9/30/05, 7/18/2005, 7/14/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The Examiner acknowledges the preliminary amendments made to the claims filed on April 15, 2005. Claims 1-11 have been amended. Claims 12-18 have been newly added.

Drawings

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because in fig. 15, block S521, the label "DELETIG TRANSMITTED CAMERA FILES OTHER THAN PTOTECTED" should be written as "DELETING TRANSMITTED CAMERA FILES OTHER THAN PROTECTED". Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1, 2, 4, 6-10, 12, 14, 15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis, US Patent 6,721,001 B1 in view of Anderson, US Patent 6,507,363 B1.**

Regarding claim 1, Berstis discloses a digital image storage system (See fig. 1) comprising: a digital camera (Fig. 1: 102) having a memory (Fig. 2: 214 and fig. 4) capable of storing digital images; a docking station (Fig. 1: 106) on which the digital camera can be placed to transmit digital images stored in the digital camera memory through the docking station; and a data storage (by teaching that the images are transmitted to a server or a computer system, Berstis inherently discloses a data storage having a storage medium for storing the digital images since a storage medium; col. 2, lines 40-46; col. 4, lines 53-63) having a storage medium that stores the digital images transmitted through the docking station (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 8; col. 4, lines 29-63).

Berstis does not explicitly disclose a controller that controls the data storage so that the transmitted digital images are stored in a predetermined folder prepared in the storage medium.

However, as taught in figs. 10 and 11, Anderson teaches a method and system for generating a plurality of folders for multiple devices and multiple sessions in a digital camera wherein when a camera is going to transfer image data to a second camera, the second camera would create a new folder to store the images sent by the first camera (Col. 8, line 18 – col. 9, line 15). Creating a folder for receiving the images in an external apparatus is advantageous because it would allow efficient generation and retrieval of images from folders and also avoids name conflicts.

Therefore, taking the combined teaching of Berstis in view of Anderson as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Berstis by having a controller that controls the data storage so that the transmitted digital images are stored in a predetermined folder prepared in the storage medium. The motivation to do so would have been to improve the digital image storage system by allowing efficient generation and retrieval of images from folders and also avoiding name conflicts as suggested by Anderson (Col. 9, line 37 – col. 10, line 3).

Regarding claim 2, the combined teaching of Berstis in view of Anderson as applied to claim 1 teaches that the controller automatically prepares a subfolder within the predetermined folder prepared in the storage medium (in fig. 1, Anderson teaches creating subfolders or session folders with the motivation of avoiding the complexity of searching for a particular image as the number of stored images increases; col. 6, lines 50-62).

Regarding claim 4, Berstis discloses a digital image storage system (See fig. 1) comprising: a digital camera (Fig. 1: 102) having a memory (Fig. 2: 214 and fig. 4) capable of storing digital images; a docking station (Fig. 1: 106) on which the digital camera can be placed for transmission of the digital images from the digital camera memory; and a data storage (by teaching that the images are transmitted to a server or a computer system, Berstis inherently discloses a data storage having a storage medium for storing the digital images since a storage medium; col. 2, lines 40-46; col. 4, lines 53-63) having a storage medium that stores the digital images that have been transmitted from the digital camera memory through the docking station (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 8; col. 4, lines 29-63).

Berstis does not explicitly disclose that the data storage includes a controller that prepares a folder in the storage medium in advance of the transmission of the digital images and stores the transmitted digital images in the folder.

However, as taught in figs. 10 and 11, Anderson teaches a method and system for generating a plurality of folders for multiple devices and multiple sessions in a digital camera wherein when a camera is going to transfer image data to a second camera, the second camera would create a new folder to store the images sent by the first camera (Col. 8, line 18 – col. 9, line 15). Creating a folder for receiving the images in an external apparatus is advantageous because it would allow efficient generation and retrieval of images from folders and also avoids name conflicts.

Therefore, taking the combined teaching of Berstis in view of Anderson as a whole, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify Berstis by having the data storage including a controller that prepares a folder in the storage medium in advance of the transmission of the digital images and stores the transmitted digital images in the folder. The motivation to do so would have been to improve the digital image storage system by allowing efficient generation and retrieval of images from folders and also avoiding name conflicts as suggested by Anderson (Col. 9, line 37 – col. 10, line 3).

Regarding claim 6, Berstis discloses a digital image storage (Berstis teaches that the images are transmitted to a server or a computer system; col. 2, lines 40-50; col. 4, lines 60-63) capable of receiving digital images from a digital camera through a docking station (Fig. 1: 106) on which the digital camera can be placed (see camera placed in docking station shown in fig. 1), the digital image storage comprising: a storage medium (by teaching that the images are transmitted to a server or a computer system, Berstis inherently discloses a data storage having a storage medium for storing the digital images since a storage medium; col. 2, lines 40-46; col. 4, lines 53-63) that stores the digital images that have been received through the docking station (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 8; col. 4, lines 29-63).

Berstis does not explicitly disclose a controller that executes a program to store the received images in a predetermined folder prepared in the storage medium.

However, as taught in figs. 10 and 11, Anderson teaches a method and system for generating a plurality of folders for multiple devices and multiple sessions in a digital camera wherein when a camera is going to transfer image data to a second camera, the second camera would create a new folder to store the images sent by the first camera

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(Col. 8, line 18 – col. 9, line 15). Creating a folder for receiving the images in an external apparatus is advantageous because it would allow efficient generation and retrieval of images from folders and also avoids name conflicts.

Therefore, taking the combined teaching of Berstis in view of Anderson as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Berstis by having the digital image storage including a controller that executes a program to store the received images in a predetermined folder prepared in the storage medium. The motivation to do so would have been to improve the digital image storage system by allowing efficient generation and retrieval of images from folders and also avoiding name conflicts as suggested by Anderson (Col. 9, line 37 – col. 10, line 3).

Regarding claim 7, the combined teaching of Berstis in view of Anderson as applied to claim 6 teaches that a plurality of folders are prepared in the storage medium, and the controller stores the received digital images in a predetermined one of the prepared folders (See Anderson, figs. 10 and 11; col. 8, line 18 – col. 9, line 15).

Regarding claim 8, Berstis discloses a digital image storage (Berstis teaches that the images are transmitted to a server or a computer system; col. 2, lines 40-50; col. 4, lines 60-63) capable of receiving digital images from a digital camera (Fig. 1: 102) through a docking station (Fig. 1: 106) on which the digital camera can be placed, the digital image storage comprising: a storage medium (by teaching that the images are transmitted to a server or a computer system, Berstis inherently discloses a data storage having a storage medium for storing the digital images since a storage medium;

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col. 2, lines 40-46; col. 4, lines 53-63) that stores the digital images that have been received through the docking station (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 8; col. 4, lines 29-63).

Berstis does not explicitly disclose a controller that executes a program to prepare a folder in the storage medium in advance of receipt of the digital images from the digital camera and to store the received digital images in the folder.

However, as taught in figs. 10 and 11, Anderson teaches a method and system for generating a plurality of folders for multiple devices and multiple sessions in a digital camera wherein when a camera is going to transfer image data to a second camera, the second camera would create a new folder to store the images sent by the first camera (Col. 8, line 18 – col. 9, line 15). Creating a folder for receiving the images in an external apparatus is advantageous because it would allow efficient generation and retrieval of images from folders and also avoids name conflicts.

Therefore, taking the combined teaching of Berstis in view of Anderson as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Berstis by having the digital image storage including a controller that executes a program to prepare a folder in the storage medium in advance of receipt of the digital images from the digital camera and to store the received digital images in the folder. The motivation to do so would have been to improve the digital image storage system by allowing efficient generation and retrieval of images from folders and also avoiding name conflicts as suggested by Anderson (Col. 9, line 37 – col. 10, line 3).

Regarding claim 9, the combined teaching of Berstis in view of Anderson as applied to claim 8 teaches that the controller detects a signal from the docking station and automatically prepares the folder in response to the signal (as shown in fig. 10, Anderson teaches that the first camera send a signal to transmit the images to the second camera prior to creation of the folder to store the images transmitted from said first camera (Col. 8, line 18 – col. 9, line 15), therefore, the combination of Berstis and Anderson would require to send the signal from the camera to the storage means through the docking station, which teaches that the storage means receive the signal from the docking station prior to create the folder).

Regarding claim 10, limitations can be found in claim 9.

Regarding claim 12, the combined teaching of Berstis in view of Anderson as applied to claim 1 teaches that the controller is housed by the data storage (Anderson discloses creating the folders in the second camera; col. 8, line 18 – col. 9, line 15; see also col. 4, lines 35-46).

Regarding claim 14, the combined teaching of Berstis in view of Anderson as applied to claim 4 teaches that the controller automatically prepares the folder in the storage medium in advance of the transmission of the digital images (See Anderson fig. 10, wherein the second camera is creating the folder (step 513) in advance to the transmission of images (steps 514 and 515); col. 8, line 18 – col. 9, line 15).

Regarding claim 15, Berstis discloses processor executable computer program product storing a program that includes instructions that when executed by a processor (Fig. 2: 208), causes the processor to perform a method comprising: detecting a signal

from a docking station (Fig. 1: 106; col. 4, lines 35-58) on which a digital camera (Fig. 1: 102) can be placed, the signal indicating a transmission of digital images stored in a memory (Fig. 2: 214 and fig. 4) of the digital camera through the docking station and storing the digital images transmitted through the docking station (Col. 1, lines 45-50; col. 2, line 15 – col. 3, line 8; col. 4, lines 29-63).

Berstis does not explicitly disclose storing the digital images transmitted through the docking station so that the transmitted digital images are stored in a predetermined folder prepared in a storage medium.

However, as taught in figs. 10 and 11, Anderson teaches a method and system for generating a plurality of folders for multiple devices and multiple sessions in a digital camera wherein when a camera is going to transfer image data to a second camera, the second camera would create a new folder to store the images sent by the first camera (Col. 8, line 18 – col. 9, line 15). Creating a folder for receiving the images in an external apparatus is advantageous because it would allow efficient generation and retrieval of images from folders and also avoids name conflicts.

Therefore, taking the combined teaching of Berstis in view of Anderson as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Berstis by storing the digital images transmitted through the docking station so that the transmitted digital images are stored in a predetermined folder prepared in a storage medium. The motivation to do so would have been to improve the digital image storage system by allowing efficient generation and retrieval

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of images from folders and also avoiding name conflicts as suggested by Anderson (Col. 9, line 37 – col. 10, line 3).

Regarding claim 17, the combined teaching of Berstis in view of Anderson as applied to claim 1 teaches that the docking station has a shape to fit a bottom of the digital camera (See Berstis fig.1, docking station 106 has a shape to fit a bottom part of the digital camera 102; col. 2, lines 15-39).

Regarding claim 18, the combined teaching of Berstis in view of Anderson as applied to claim 4 teaches that the docking station has a shape to fit a bottom of the digital camera (See Berstis fig.1, docking station 106 has a shape to fit a bottom part of the digital camera 102; col. 2, lines 15-39).

6. Claims 3, 5, 11, 13 and 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis, US Patent 6,721,001 B1 in view of Anderson, US Patent 6,507,363 B1 and further in view of Tomat, US Patent 6,784,925 B1.

Regarding claim 3, the combined teaching of Berstis in view of Anderson fails to teach that the controller names the subfolder based on a date when the controller prepared the folder.

However, naming folders based on a date that the folder was created is notoriously well known in the art as taught by Tomat. As shown in figs. 22, 44, 45, 46 and 47, Tomat teaches naming folders (referred as canisters) wherein said folders are named based on the date (i.e. 4/30/96-5/3/96 indicating the first and the last dates when the images were recorded in said folder) (Col. 14, line 31 – col. 15, line 53). Naming the folders based on a creation date is advantageous because it would help organize the

image data efficiently so the user would not have trouble of searching for a particular image when having a large number of stored images.

Therefore, taking the combined teaching of Berstis in view of Anderson and further in view of Tomat as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the digital image storage system by having the controller naming the subfolder based on a date when the controller prepared the folder. The motivation to do so would have been to improve the digital image storage system since by naming the folders based on the creation date allows to organize the image data efficiently so the user would not have trouble of searching for a particular image when having a large number of stored images.

Regarding claim 5, limitations can be found in claim 3.

Regarding claim 11, limitations can be found in claim 3.

Regarding claim 13, limitations can be found in claim 3.

Regarding claim 16, limitations can be found in claim 3.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 8:30 A.M. to 6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nelson D. Hernandez
Examiner
Art Unit 2622

NDHH
April 18, 2006



TUAN HO
PRIMARY EXAMINER